

**CALENDAR ITEM
C38**

A 4
S 1

12/14/06
PRC 3955.1
B. Terry

GENERAL LEASE - RECREATIONAL USE

APPLICANT:

Rocky Ridge Properties Owners Association
P.O. Box 432
Tahoe City, CA 96145

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, swim float, 19 mooring buoys, two marker buoys, and the retention of one boat lift as shown in Exhibit A.

LEASE TERM:

Ten years, beginning August 21, 2006.

CONSIDERATION:

\$311 per annum, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISION:

Insurance:

Liability insurance in the amount of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On May 22, 1986, the Commission authorized a General Lease – Recreational Use with Rocky Ridge Property Owners Association. The lease was subsequently amended in 1996, and the lease expired on August 20, 2006. The Applicant is now applying for a new lease for an existing pier, swim float, 19 mooring buoys, and two marker buoys

CALENDAR ITEM NO. **C38** (CONT'D)

previously authorized by the Commission and a boat lift not previously authorized by the Commission.

3. The Applicant is a property owners association consisting of 101 member/lots. Of these member/lots, six are not owned by natural persons and do not qualify for rent-free status pursuant to section 6503.5 of the Public Resources Code. The rent for the pier and mooring buoys has been prorated according to the number of member/lots qualifying for rent-free status. The swim float and marker buoys are subject to rent because they are not used for the mooring or docking of boats.

4. **PIER, SWIM FLOAT, 19 MOORING BUOYS AND TWO MARKER BUOYS:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. **BOAT LIFT:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

CALENDAR ITEM NO. **C38** (CONT'D)

EXHIBIT:

A. Site and Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

PIER, SWIM FLOAT, 19 MOORING BUOYS AND TWO MARKER BUOYS: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

BOAT LIFT: FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

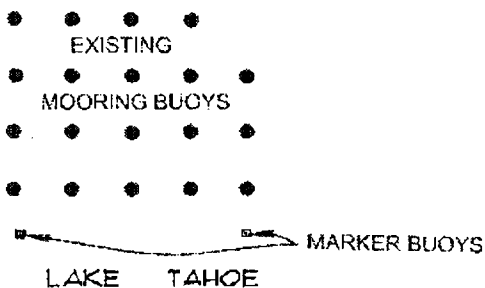
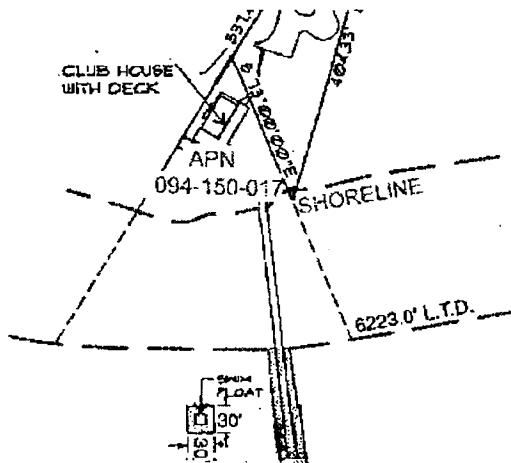
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO ROCKY RIDGE PROPERTIES OWNERS ASSOCIATION OF A TEN-YEAR GENERAL LEASE - RECREATIONAL USE, BEGINNING AUGUST 21, 2006, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING PIER, SWIM FLOAT, 19 MOORING BUOYS, AND TWO MARKER BUOYS AND THE RETENTION OF A BOAT LIFT AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$311, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$1,000,000.

NO SCALE

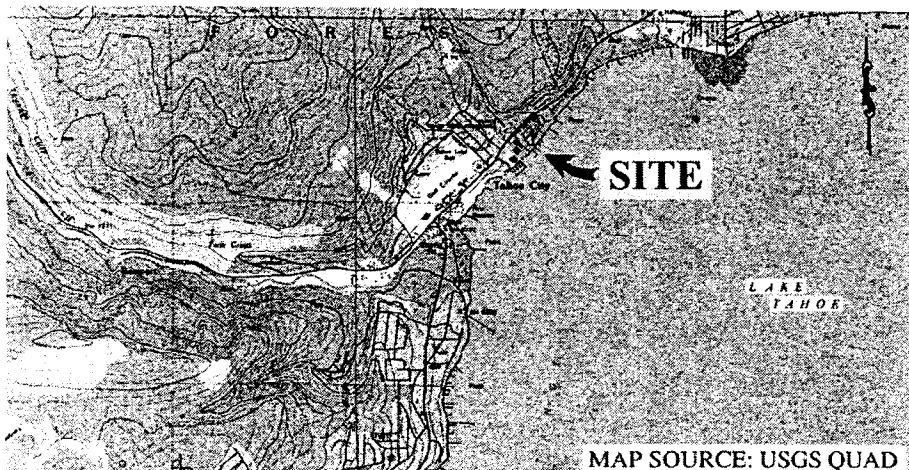
SITE



180 SIERRA VISTA ROAD, NEAR TAHOE CITY

NO SCALE

LOCATION

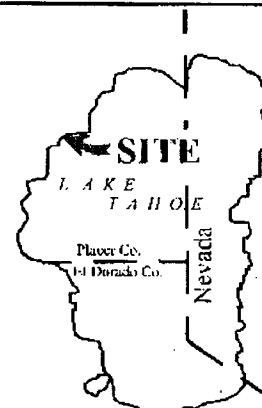


MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

WP 3955
ROCKY RIDGE PROPERTIES
OWNERS ASSOCIATION
APN 094-150-017
GENERAL LEASE
RECREATIONAL USE
PLACER COUNTY



MJ 11/06

000231

002677

CALENDAR PAGE

MINUTE PAGE